THE TALE OF TWO THOMAS BURNETTS OF ESSEX VA

[Document subtitle]

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“The Tale of the Two Thomases”

As we continue to examine all the primary source data of Essex County VA regarding the John and Lucretia BURNETT family, we continue to find records that were readily available that were either not considered or applied to incorrect people in the publication of “The Burnett’s and their Connections”. This research paper will focus on the Thomas BURNETTS cited in that publication. The information in italics has been quoted precisely as it is presented in that book.

In Vol.1 of “The Burnett’s and their Connections”, on page eight we find the following entry:

Generation 2
1C) Thomas BURNETT Sr. son of William BURNETT (?) and.
“Thomas was born at least by 1660 when the "younger Thomas BURNETT Jr." was born In Old Rappahannock County, Virginia. He was still living in Essex County on 12 November 1714, when he was fined for not attending his church parish. In 1717, Thomas BURNETT Sr. did not appear In Court and again in 1728, his wife JANE acknowledged a deed. However, this record said, "Jane BURNETT, Wife of Thomas BURNETT ••• " end did not say, *"· •• Thomas BURNETT, deceased" so I am assuming Thomas was still living in 1728. He owned land, but I did not find a record of him disposing it and did not find any other record after 1728. They possibly left the area, perhaps to Spotsylvania County where Amy (GATEWOOD) BURNETT and her second husband moved to in 1730.”*[1]

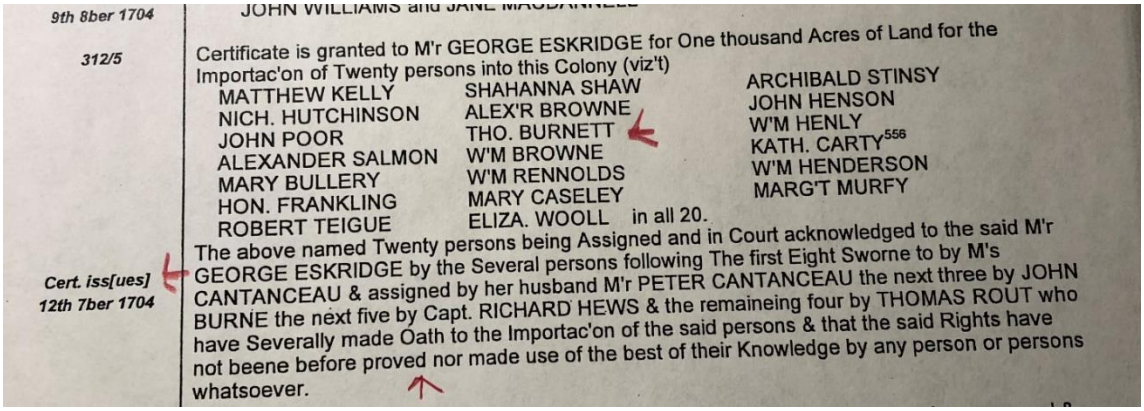
On page twenty-one, we find this entry.

Generation 3
1B2) Thomas BURNETT Jr., son of John BURNETT Sr. and Lucretia.
“Thomas was born, probably before 1665 and in Old Rappahannock County, Virginia. He died in early September of 1749 in Southfarnham Parish, Essex County. He was of age in 1709 when his mother Lucretia named him as Executor of her Estate in 1709.”
“I believe he was named after either Thomas BURNETT Senior who married the Widow Mrs. Jane POWELL or Sir Thomas BURNETT of Leys, Knight, Baronet of Scotland. Thomas Senior may be John's brother and 'Uncle of Thomas Junr.”
“There is a record of a Thomas BURNETT who married shortly before 18 MAR 1712/13 in Northumberland County, Virginia to Anne. late Anne BELL. widow of Jeremiah BELL. I believe the two Thomas are one and the same. The Court records of Essex County show a gap in his records from 1711 to 1716 and this record may explain why. I would not be surprised to find this Jeremiah BELL, the ancestor of some of the Bells of Wayne County, Kentucky. The name of "Jeremiah" fits.”

It has already been established that the above listed William BURNETT did not exist and was in fact William BENNETT.[2] Thomas BURNETT who married Jane (LUCAS) POWELL in Essex County was the son of John and Lucretia BURNETT of Essex, not Thomas BURNETT Northumberland County.[3] The purpose of this publication is to establish the identity of Thomas BURNETT of Northumberland VA.

Thomas Burnett of Northumberland

Thomas BURNETT of Northumberland County, Virginia was an indentured servant; he was imported into Virginia sometime before the 12 OCT 1704. He is one of twenty persons listed in a certificate issued to George ESKRIDGE. [4]



9th 8ber 1704

312/5

JOHN WILLIAMS and JANE MAGDANNELL

Certificate is granted to M'r GEORGE ESKRIDGE for One thousand Acres of Land for the Importac'on of Twenty persons into this Colony (viz't)

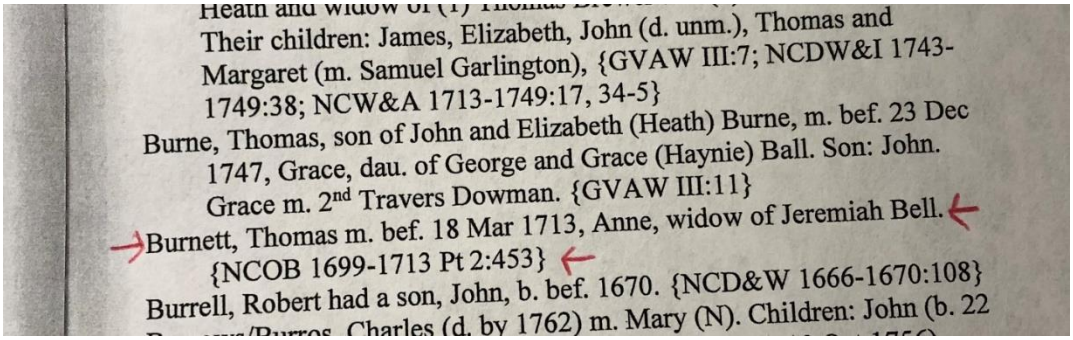
MATTHEW KELLY	SHAHANNA SHAW	ARCHIBALD STINSY
NICH. HUTCHINSON	ALEX'R BROWNE	JOHN HENSON
JOHN POOR	THO. BURNETT	W'M HENLY
ALEXANDER SALMON	W'M BROWNE	KATH. CARTY[556]
MARY BULLERY	W'M RENNOLDS	W'M HENDERSON
HON. FRANKLING	MARY CASELEY	MARG'T MURFY
ROBERT TEIGUE	ELIZA. WOOLL	

in all 20.

Cert. iss[ues] 12th 7ber 1704

The above named Twenty persons being Assigned and in Court acknowledged to the said M'r GEORGE ESKRIDGE by the Several persons following The first Eight Sworne to by M's CANTANCEAU & assigned by her husband M'r PETER CANTANCEAU the next three by JOHN BURNE the next five by Capt. RICHARD HEWS & the remaineing four by THOMAS ROUT who have Severally made Oath to the Importac'on of the said persons & that the said Rights have not beene before proved nor made use of the best of their Knowledge by any person or persons whatsoever.

Sometime before the 18th of March 1713, he marries the widow of Jeremiah BELL, Anne BELL.[5]



Heath and widow of (1) Thomas Burne

Their children: James, Elizabeth, John (d. unm.), Thomas and Margaret (m. Samuel Garlington), {GVAW III:7; NCDW&I 1743-1749:38; NCW&A 1713-1749:17, 34-5}

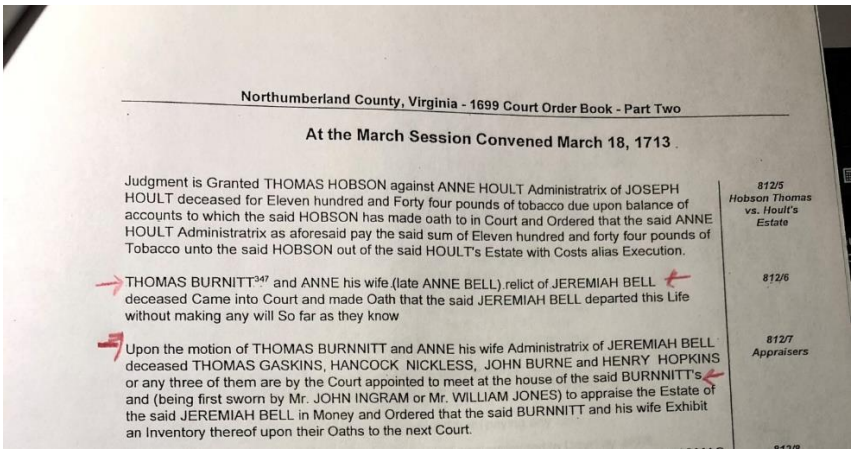
Burne, Thomas, son of John and Elizabeth (Heath) Burne, m. bef. 23 Dec 1747, Grace, dau. of George and Grace (Haynie) Ball. Son: John. Grace m. 2nd Travers Dowman. {GVAW III:11}

Burnett, Thomas m. bef. 18 Mar 1713, Anne, widow of Jeremiah Bell. {NCOB 1699-1713 Pt 2:453}

Burrell, Robert had a son, John, b. bef. 1670. {NCD&W 1666-1670:108}

Burrus, Charles (d. by 1762) m. Mary (N). Children: John (b. 22

Thomas and his wife Anne are trying to settle her late husband's affairs. Clearly this record identifies her as the late widow of Jeremiah BELL.[6]



Northumberland County, Virginia - 1699 Court Order Book - Part Two

At the March Session Convened March 18, 1713

812/5 Hobson Thomas vs. Hoult's Estate

Judgment is Granted THOMAS HOBSON against ANNE HOULT Administratrix of JOSEPH HOULT deceased for Eleven hundred and Forty four pounds of tobacco due upon balance of accounts to which the said HOBSON has made oath to in Court and Ordered that the said ANNE HOULT Administratrix as aforesaid pay the said sum of Eleven hundred and forty four pounds of Tobacco unto the said HOBSON out of the said HOULT's Estate with Costs alias Execution.

812/6

THOMAS BURNITT[347] and ANNE his wife (late ANNE BELL) relict of JEREMIAH BELL deceased Came into Court and made Oath that the said JEREMIAH BELL departed this Life without making any will So far as they know

812/7 Appraisers

Upon the motion of THOMAS BURNNITT and ANNE his wife Administratrix of JEREMIAH BELL deceased THOMAS GASKINS, HANCOCK NICKLESS, JOHN BURNE and HENRY HOPKINS or any three of them are by the Court appointed to meet at the house of the said BURNNITT's and (being first sworn by Mr. JOHN INGRAM or Mr. WILLIAM JONES) to appraise the Estate of the said JEREMIAH BELL in Money and Ordered that the said BURNNITT and his wife Exhibit an Inventory thereof upon their Oaths to the next Court.

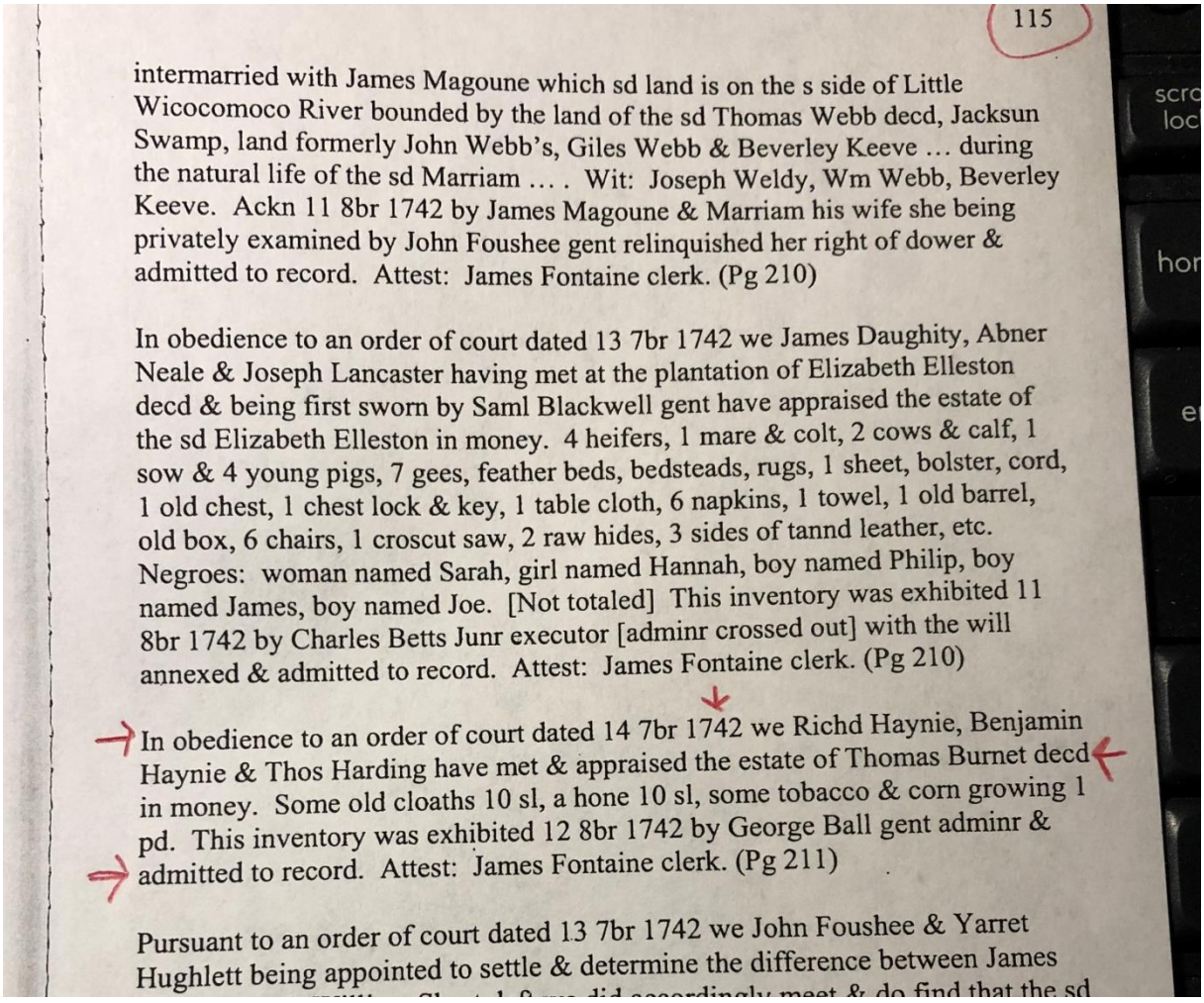
On 2 NOV 1718 he witnessed the will of Thomas BREWER, he was also named as a devisee.[7]

Son James-land where I now live to him and the heirs of his body lawfully begotten, and for want of such heirs to my son Thomas, to him and his heirs.
Son. John-the land I bought of Thomas BREWER, to him and the heirs of his body lawfully begotten, and for want of such heirs to my daughter Margaret, and the heirs lawfully begotten of her body.
Son James-the best bed and furniture that I have, my still, worm and tubb, and one square barrell gun.
Wife Eliz.-my horse.
Son John-one pair of pistols and holsters.
Daughter in law Eliz. BREWER-one bay mare about five years old, and one young mare colt.
To Thos. BURNETT-one dark colored coat and Ticker, vest and breaches.
Rest of my estate of money, negroes, tobacco, household stuff, cattle, hogs, sheep, bills, bonds or accounts, to be equally divided between my wife and four children.
The three boys to have their part at the age of seventeen, and the girl at fourteen years of age. In case my wife should marry before they attain the said age, then the same to be divided instantly by Mr. John STEPTOE and Samuel HEATH, whom are to be my trustees for the management of my estate.
Wife Elizabeth, executrix to prove my will.
*Witness: Thomas GILL, **Thomas BURNETT**, and Jno. DOBBS.*
CODICIL: If my son John and daughter Margarett both die without heir lawfully begotten, the land to go to my son Thomas and his heirs.
Witness: Samuel HEATH, John DOBBS, and Alice ELLIS.[8]

On 15 MAR 1720/21 we find Thomas and his wife Anne named in the will of Bartholomew SCHREVER in Northumberland County. His wife Anne is also a witness to the will.

"*Wife Mary SCHREVER-five negroes vizt: Bossen, Toney, Harry, Venus, and Gaskey, to her and her heirs, two feather beds (to wit)one English and the other Virginia, she having her oh of the Virginia bed, with two ruggs9 two pair of blankets, two pair of sheets, two pillows, two holsters, one set of nurtair and Allens, and two mares, Noby and Pretty, one half of cattle all hoggs upon my now dwelling plantation, one half of the shen my son Bartholomew's, one third of my household stuff, and she to have the use of the Land I now live on without being to the thirds during her widowhood.*
To the Church of Wiccomomoco Parish-five pounds sterling towards buying some communion, plate.
Wife-to have one third profit of my mill, and she to bear on third part of the charges of repairing.
Ten pounds to be laid out for ten mourning rings for the following persons: Richard LEE, Charles LEE and wife, Thomas WADDEY and wife, Thomas HEATH and wife, sister Boleley, Samuel HEATH and wife.
*To **Thomas BURNETT**-one of my best suit of cloaths, and all the rest I give to Bossen.*
***Thomas BURNETT and wife-to continue in possession of the land belonging to me on the southside of "Tom DOGGETT's Swamp" .during their natural lives without paying any rent**,*
Rest of my estate real and personal-to my son Bartholomew and his heirs, and he to be my executor.
*Witness: William CARPENTER, John DOBBS, and **Ann BURNETT**."*

Thomas of Northumberland does not appear in the records of Northumberland again until his death, sometime before 7 OCT 1742.[9]



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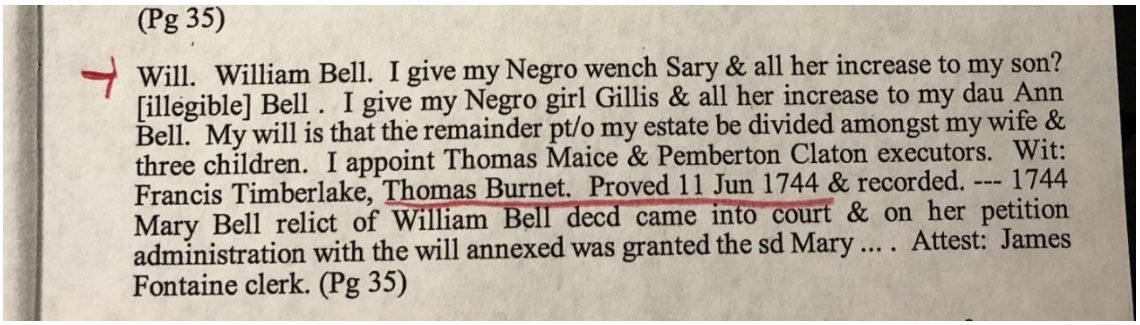
intermarried with James Magoune which sd land is on the s side of Little Wicocomoco River bounded by the land of the sd Thomas Webb decd, Jacksun Swamp, land formerly John Webb's, Giles Webb & Beverley Keeve … during the natural life of the sd Marriam … . Wit: Joseph Weldy, Wm Webb, Beverley Keeve. Ackn 11 8br 1742 by James Magoune & Marriam his wife she being privately examined by John Foushee gent relinquished her right of dower & admitted to record. Attest: James Fontaine clerk. (Pg 210)

In obedience to an order of court dated 13 7br 1742 we James Daughity, Abner Neale & Joseph Lancaster having met at the plantation of Elizabeth Elleston decd & being first sworn by Saml Blackwell gent have appraised the estate of the sd Elizabeth Elleston in money. 4 heifers, 1 mare & colt, 2 cows & calf, 1 sow & 4 young pigs, 7 gees, feather beds, bedsteads, rugs, 1 sheet, bolster, cord, 1 old chest, 1 chest lock & key, 1 table cloth, 6 napkins, 1 towel, 1 old barrel, old box, 6 chairs, 1 croscut saw, 2 raw hides, 3 sides of tannd leather, etc. Negroes: woman named Sarah, girl named Hannah, boy named Philip, boy named James, boy named Joe. [Not totaled] This inventory was exhibited 11 8br 1742 by Charles Betts Junr executor [adminr crossed out] with the will annexed & admitted to record. Attest: James Fontaine clerk. (Pg 210)

In obedience to an order of court dated 14 7br 1742 we Richd Haynie, Benjamin Haynie & Thos Harding have met & appraised the estate of Thomas Burnet decd in money. Some old cloaths 10 sl, a hone 10 sl, some tobacco & corn growing 1 pd. This inventory was exhibited 12 8br 1742 by George Ball gent adminr & admitted to record. Attest: James Fontaine clerk. (Pg 211)

Pursuant to an order of court dated 13 7br 1742 we John Foushee & Yarret Hughlett being appointed to settle & determine the difference between James

From the following record it appears that Jeremiah BELL and his wife Anne may have had a son, William BELL. This will proven on 11 JUN 1744 shows one of the witnesses is Thomas BURNETT. The question is, was it the Thomas BURNETT who married Anne BELL the widow of Jeremiah? Thomas had died by 14 OCT 1742.[10]



(Pg 35)

Will. William Bell. I give my Negro wench Sary & all her increase to my son? [illegible] Bell . I give my Negro girl Gillis & all her increase to my dau Ann Bell. My will is that the remainder pt/o my estate be divided amongst my wife & three children. I appoint Thomas Maice & Pemberton Claton executors. Wit: Francis Timberlake, Thomas Burnet. Proved 11 Jun 1744 & recorded. --- 1744 Mary Bell relict of William Bell decd came into court & on her petition administration with the will annexed was granted the sd Mary … . Attest: James Fontaine clerk. (Pg 35)

There are two possibilities, William BELL had made out his will before 14 OCT 1742 and Thomas was still alive to witness it, or the Thomas BURNETT who did witness it could possibly be the son of Thomas and Anne (BELL) BURNETT and a half- brother to William BELL.

An analysis of the available records for Thomas BURNETT of Northumberland County, Virginia makes it very clear that this man is not the Thomas BURNETT who lived in Essex County VA. The author of "The Burnett's and their Connections" made an error with the available records in trying to connect the records Thomas BURNETT of Northumberland County, Virginia to the Thomas BURNETT mentioned in the records of Essex County as the son of John and Lucretia; the two Thomases are not one and the same. They are clearly two different men.

Thomas BURNETT son of John and Lucretia BURNETT of Essex County VA will be the focus in the next article on this family.

He is the Thomas who married Jane POWELL, by 11 AUG 1699, in Essex County, Virginia.

"*We, Thomas BURNETT & Jane his wife, Samuel PERRY & Jeffrey DYER of Essex, whereas Thomas & Jane are Admr. of Estate of John POWELL, they do pledge to make a true & perfect Inventory of said POWELL's estate. Jane, late widow of John POWELL, now wife of Thomas BURNETT.*
/s/ Thomas (TB) BURNETT, Jane (J) BURNETT. Goods having come to our hands since the appraisement of the dec'd estate: Received of Wm. GROVER, 550 lbs of tobacco; Henry KERBY, 500 of same; William COX, 60 of same."

This marriage took place in Essex County, Thomas of Northumberland the indentured servant did not even arrive in Virginia until 12 OCT 1704. He is one of twenty persons listed in a certificate issued to George ESKRIDGE.[11] So he could not possibly be the Thomas BURNETT who married Jane POWELL. If you have questions please contact Mary Nell BURNETT mnburnett@sbcglobal.net

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[1] June Baldwin BORK, The Burnetts and their Connections, Volume 1 (1993).
[2] Mary Nell Burnett, William Burnett of Essex County VA did not exist (2020)
[3] Mary Nell Burnett and Susan Kromer Hunt, John and Lucretia Burnett of Essex County VA (2020)
[4] "Northumberland County Court Order Book, Part One (1699-1713)", Charles Hamrick, Iberian Pub. Co., 1999. Pg. 312.
[5] Northumberland County, Virginia: Marriage References and Family Relationships 1645-1800", F. Edward Wright, Colonial Roots, 2016.Pg. 47
[6] Northumberland County, Virginia, court order book, 1699-1713", Charles Hamrick, Iberian Pub. Co., 1999, pg. 453
[7] 1713-1749 Wills-Admin Northumberland Co Va, (Lewis & Booker): Page 21 Burne, John
W. W. 2 November 1718--Codicil 2 November 1718-- W. P. 13 February 1718/19
[8] Early Colonial Settlers of Southern Maryland and Virginia's Northern Neck Counties
https://www.colonial-settlers-md-va.us/getperson.php?personID=I118719&tree=Tree1
[9] Northumberland County, Virginia deeds, wills, inventories, etc, 1737-1743", Mary Marshall Brewer. Colonial Roots, 2006, pg.115.
[10] Northumberland County, Virginia deeds, wills, inventories, etc, 1743-1749", Mary Marshall Brewer. Colonial Roots, 2007, pg.21.
[11] Essex County, Virginia, Deed & Will Bk 10:8